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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

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| 10 YIGAL MESIKA, an individual, 11 Plaintiff, 12 vs. 13 PENGUIN MAGIC, INC., a Nevada 14 corporation, DOES 1-10, inclusive, 15 Defendant. 16 | Case No. 2:15-cv-09314-RGK-DTB [PROPOSED] JUDGMENT Judge: Hon. R. Gary Klausner Date: October 31, 2016 Time: 9:00 a.m. Place: Courtroom 850 255 E. Temple St. Los Angeles, CA 90012 |
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18 The Court, having read and considered, *inter alia*, Defendant Penguin
19 Magic's Memorandum of Points and Authorities, Statement of Uncontroverted
20 Facts and Conclusions of Law and supporting evidence, and having issued an
21 Order GRANTING Defendant Penguin Magic's Motion for Summary Judgment,
22 HEREBY ENTERS JUDGMENT AS FOLLOWS:

23 1. United States Trademark Registration No. 3,782,721 is invalid and
24 hereby cancelled pursuant to 15 U.S.C. § 1119;

25 2. United States Trademark Registration No. 3,978,477 is invalid and
26 hereby cancelled pursuant to 15 U.S.C. § 1119;

27 3. Defendant Penguin Magic has not infringed any valid, protectable
28 trademark right in the mark "LOOPS" allegedly held by Plaintiff Yigal Mesika;

1 4. Count 1 of Plaintiff Yigal Mesika's complaint is dismissed with
2 prejudice;

3 5. Count 2 of Plaintiff Yigal Mesika's complaint is dismissed with
4 prejudice;

5 6. Count 3 of Plaintiff Yigal Mesika's complaint is dismissed with
6 prejudice; and

7. Count 4 of Plaintiff Yigal Mesika's complaint is dismissed with
8 prejudice.

9 8. Plaintiff Yigal Mesika's is liable to Defendant Penguin Magic for
10 costs and attorneys' fees in the amount of _____.

12 Dated: September 28, 2016 By: /s/ Todd Malynn

POL SINELLI PC

CERTIFICATE OF SERVICE

I certify that on September 28, 2016, the foregoing document was served on Plaintiffs' counsel of record by operation of the Court's CM/ECF system.

By: /s/ Todd Maly

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